IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 3RD DECEMBER 2007 / 12TH AGRAHAYANA 1929

MFA.No. 927 of 2001()

OPMV.2040/1992 of MOTOR ACCIDENT CLAIMS TRIBUNAL, AERNAKULAM
.....

APPELLANT: 3RD RESPONDENT

NATIONAL INSURANCE COMPANY LTD.,
REP.BY ITS ASST. ADMINISTRATION OFFICER,
KOCHI REGIONAL OFFICE- T.P. CELL,
M.G.ROAD, ERNAKULAM.

BY ADV. SRI.P.R.RAMACHANDRA MENON

RESPONDENTS: PETITIONER & RESPONDENTS 1 & 2 RESPECTIVELY
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1. **BOSE M.THOMAS, S/O. THOMAS,**
MURITHOTTATHIL HOUSE,. MEKKADAMPU,
MUVATTUPUZHA.

2. **M.S.PREMACHANDRAN, S/O. SANKU,**
MANALIL HOUSE, ENATHI P.O.
VAIKOM.

3. **V.V.MADHAVAN, S/O. V.S. VELAYUDHAN,**
VELANPARAMBIL , THOTTAKUR, KOTTAYAM.

BY ADV. SRI.R.SUDHISH - R1
SMT.MANJU SUDHISH

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 03/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.F.A. 927/2001

ORDER ON CMP. NO.7164/2001 IN MFA.No 927/2001

DISMISSED

3.12.2007 **SD/- J.B.KOSHY, JUDGE**

SD/- K.T.SANKARAN, JUDGE

/TRUE COPY/

P.A. TO JUDGE

tss

J.B.KOSHY & K.T.SANKARAN, JJ.

M.F.A.NO.927 OF 2001 ()
&
C.M.P.NO.7163 OF 2001

Dated this the 3rd day of December, 2007

J U D G M E N T

KOSHY,J.

This is a petition filed to condone the long delay of 326 days in filing the appeal by the Insurance company. In the very same accident, another person was also injured and appeal filed from the above judgment was dismissed by judgment dated 31.5.2007 in M.F.A.No.935/2001. Identical contentions are raised in this appeal also. Therefore there is no prima facie merit in this appeal, and in any event, no satisfactory reasons are stated for condoning the long delay in filing the appeal. Hence the delay condonation petition is dismissed. Consequently appeal is also dismissed.

J.B.KOSHY, JUDGE

K.T.SANKARAN, JUDGE

prp

J.B.KOSHY & K.T.SANKARAN, JJ.

M.F.A.NO.927 OF 2001 ()
&
C.M.P.NO.7163 OF 2001

J U D G M E N T

3rd December, 2007